

## **REMARKS**

The Office Action dated June 17, 2005, has been received and carefully noted. The amendments made herein and the following remarks are submitted as a full and complete response thereto.

Claims 1 and 5 have been amended. Applicant submits that the amendments made herein are fully supported in the specification and the drawings as originally filed, and therefore no new matter has been added. Accordingly, claims 1-8 are pending in the present application, where claims 1, 2 and 5 are respectfully submitted for consideration.

### **Allowed Claims**

Applicant greatly appreciates the allowance of claims 3-4 and 6-8.

### **Claims 1-2 and 5 Rejected under 35 U.S.C. § 102(b)**

Claims 1-2 and 5 were rejected under 35 U.S.C. § 102(b) as being anticipated by the Applicant's Admitted Prior Art (hereinafter "AAPA"). Claims 1 and 5 have been amended to obviate this rejection. However, to the extent it is still relevant, this rejection is respectfully traversed.

Claim 1 recites a delay time adjusting method comprising, among other features, the step of increasing the delay time whenever a phase difference detected in the step of comparing indicates that said output signal is ahead of or behind the input signal.

Claim 5 recites a delay adjusting circuit comprising, among other feature, a delaying circuit for increasing a delay time of said phase of said output signal, when starting the delay time adjustment, so that the delay time is set to a value at which said

phase difference becomes N periods, where N is an integer other than zero and varies in accordance with the phase difference detected at a time of starting the delay time adjustment.

It is respectfully submitted that the prior art fails to disclose or suggest at least the above-mentioned features of the Applicant's invention.

In making the rejection, the Office Action characterized AAPA as allegedly disclosing "a delay time adjusting circuit with a corresponding method of ... increasing [10, 3] the delay time when a phase difference detected in the step of comparing indicates that the output signal is ahead of or behind the input signal," with respect to claim 1, and as allegedly disclosing "a delay time adjusting circuit ... comprising ... delay circuit [3] for increasing a delay time of the phase of the output signal when starting the delay time adjustment so that the delay time is set to a value at which the phase difference becomes N periods, where N is an integer other than zero," with respect to claim 5.

Applicant respectfully disagrees with the Office Action's position, and submits that AAPA fails to disclose or suggest each and every element recited in claims 1 and 5 of the present application. In particular, it is submitted that the AAPA is neither comparable nor analogous to the time delay adjusting circuit and the method thereof.

As for claim 1, AAPA fails to disclose at least "increasing the delay time whenever a phase difference detected in the step of comparing indicates that said output signal is ahead of or behind the input signal." For instance, AAPA fails to show that the delay time is increased in both the case where the output signal is ahead of the

input signal and the case where the output signal is behind the input signal. Therefore, Applicant submits that AAPA fails to disclose each and every element recited in claim 1 of the present application.

Regarding claim 5, Applicant submits that according to a conventional frequency divider, N is a constant. For example, in the conventional divider as shown in Fig. 3 of the present application, the divider is a  $\frac{1}{4}$  divider. Therefore, when phase adjustment of dclk is performed with respect to tclk, the phase difference corresponds to two period of Cin. Thus, N is always equal to 2, for example. In the conventional divider, N is determined as a fixed value according to a dividing ratio of the structure of the divider. For example, if the dividing ratio is  $\frac{1}{2}$ , N is always equal to 1. If the dividing ratio is  $1/8$ , N is always equal to 4.

In contrast, according to one example of the present invention, N takes on different values depending on the phase difference at the time when the delay time adjustment starts. In other words, N takes on different values depending on whether the phase difference indicates that the output signal is ahead of or behind the input signal according to one example of the present invention. As such, Applicant further submits that AAPA fails to disclose each and every element recited in claim 5 of the present application because AAPA fails to disclose at least the limitation of "a delaying circuit for increasing a delay time of said phase of said output signal, when starting the delay time adjustment, so that the delay time is set to a value at which said phase difference becomes N periods, where N is an integer other than zero and varies in

accordance with the phase difference detected at a time of starting the delay time adjustment."

In order to qualify as prior art under 35 U.S.C. §102, a single prior art reference must teach, i.e., identically describe, each feature of a rejected claim. As explained above, AAPA fails to disclose or suggest each and every feature of claims 1 and 5. Accordingly, Applicant respectfully submits that claims 1 and 5 are not anticipated by AAPA. Therefore, Applicant respectfully submits that claim 1 and 5 are allowable.

As claim 2 depends from claim 1, Applicant submits that claim 2 incorporates the patentable aspects therein, and is therefore allowable for at least the reasons set forth above with respect to the independent claim, as well as for the additional subject matter recited therein.

Accordingly, Applicants respectfully request withdrawal of the rejection.

### **Conclusion**

In view of the above, Applicant respectfully submits that each of claims 1-8 recites subject matter that is neither disclosed nor suggested in the cited prior art. Applicant also submits that the subject matter is more than sufficient to render the claims non-obvious to a person of ordinary skill in the art, and therefore respectfully request that claims 1, 2 and 5 be found allowable and that this application be passed to issue, along with allowed claims 3, 4, 6, 7 and 8.

If for any reason, the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact the

Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper has not been timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, referring to client-matter number 100353-00039.

Respectfully submitted,

  
Sam Huang  
Registration No. 48,430

Customer No. 004372  
AREN'T FOX, PLLC  
1050 Connecticut Avenue, N.W., Suite 400  
Washington, D.C. 20036-5339  
Tel: (202) 857-6000  
Fax: (202) 857-6395

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Enclosure: Petition for Extension of Time (one month)